

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35507 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

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1. Swaraj Kumar Shukla son of Krishna Mohan Shukla, resident of Village-
Jamo Jalalpur, Police Station- Jamo Bajar, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Economic Offence Unit.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh, Advocate

For the Opposite Party/s : Mr. V.N.P Sinha(Eou)Unit

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 24-08-2016 Heard learned counsel for the petitioner and the

State.

Petitioner is languishing in custody since
08.04.2016 in a case registered for the offences punishable
under Sections 8, 20(b) (ii) (c), 25 and 29 of the Narcotics
Drugs and Psychotropic Substances Act.

The prosecution case is that on secret
information received by Rajesh Narayan Verma, Police
Inspector, Economic Offence Unit, Patna that ganja is being
smuggled in two vehicles. One Tata Sumo Gold vehicle was
intercepted and from the said vehicle 60 K.g. ganja
concealed in different parts of the vehicle was recovered.
The vehicle was being driven by the co-accused Santosh
Yadav and the petitioner was the co-passenger.

It is submitted by the learned counsel for the petitioner that the petitioner was simply a bona fide passenger of the said vehicle and the petitioner was not aware about the ganja which was kept in the vehicle. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

It is submitted by the learned senior counsel for the Economic Offence Unit that the commercial quantity of ganja was recovered. The petitioner was the second driver of the vehicle and there was no occasion for the petitioner to travel in the vehicle in which the ganja was being smuggled and his driving license was also seized.

Considering the commercial quantity of recovery, this Court is not inclined to grant bail to the petitioner in connection with Economic Offence P.S. Case No. 2 of 2016, pending in the court of learned District & Sessions Judge, Patna.

Accordingly, the regular bail application is dismissed.

Let, the trial be expedited.

(Dinesh Kumar Singh, J)

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